

**Minutes of the Town of Johnsburg
Regular Meeting
Tannery Pond Community Center
228 Main Street, North Creek
June 18, 2019**

Minutes of the Regular Meeting of the Town Board of the Town of Johnsburg held on Tuesday June 18, 2019 at 7:00 PM at the Tannery Pond Community Center, 228 Main Street, North Creek, NY

Supervisor Hogan called the meeting to order at 7:00 p.m. and the pledge to the flag was led by Nancy Beaudin.

PRESENT: Andrea Hogan -- Supervisor
Eugene Arsenault – Councilman
Arnold Stevens – Councilman
Peter Olesheski, Jr -- Councilman
Laurie Arnheiter -- Councilwoman
Kate Lorah -- Town Clerk

Approval of Minutes for Regular Meeting May 21, 2019

RESOLUTION #113-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the minutes of the May 21, 2019 meeting. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Correspondence:

- Email from Highway Superintendent requesting permission to hire
- Letter from North Country Hardship Fund re: Waynestock
- Letter of interest for appointment to Zoning Board
- Letter of support for Dog Park
- Letter of resignation

Ms. Lorah referenced the above correspondence.
The letter of resignation leaves a position open in the Parks Department.

RESOLUTION #114-19

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Olesheski to approve placing a help wanted ad for the Parks Department. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

New Business:

- **Highway Superintendent's request**

According to the Town's Ethics Code, a department head must get Board approval prior to hiring a relative. Mr. Hitchcock's letter is a request to hire a relative. A roll call vote was taken:

RESOLUTION #115-19

Approve Mr. Hitchcock's request to hire a relative?

- Ms. Arnheiter – yea
- Mr. Arsenault – yea
- Ms. Hogan – abstain
- Mr. Olesheski – nay
- Mr. Stevens – abstain

With only two yea votes, the Board does not approve Mr. Hitchcock's request to hire a relative.

- **EMS update**

Joe Connelly spoke about the Town Board of Minerva approaching the Johnsbury EMS regarding providing services in the Town of Minerva. In the last part of 2018, Johnsbury EMS handled about half of the calls for Minerva. To provide services on a regular basis, Johnsbury EMS has asked Minerva for \$89,000 per year (\$41,000 for payroll and \$48,000 for expenses, including overhead, on-call pay and night drivers). Mr. Connelly's goal is to firm up the Minerva budget before Johnsbury's budget cycle. He gave an estimate of \$50,000 in potential additional revenue for the EMS next year with this arrangement and does not foresee a decrease in service to Johnsbury because of it. The arrangement could help stabilize the both Towns' EMS system.

- **Build Grant**

Because of TOJ's Opportunity Zone designation, Warren County will submit a 'Build' Grant on behalf of the Town which, if awarded, could involve extensive work on Main Street including paving, a bike lane, sidewalks and potentially improvements to the water system. The Board agreed that Ms. Hogan will write a letter to Warren County requesting they submit a 'Build Grant' on behalf of the Town.

- **Dog Park**

Linda Cobb gave a presentation urging the Town to support the building of a Dog Park. She and a group called Dog Park Friends have surveyed businesses about being dog-friendly, have reached many dog owners in the Town and received support from them, and have researched other dog parks. They have created guidelines and rules, and will apply for funding. What they are asking from the Town is support, labor for installation and space on Town property.

RESOLUTION #116-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to support the creation of a Dog Park by providing space on Town property. The location will be a green area (approximately one acre) near the beach. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Water Feature at Ski Bowl Park Garden**

Judy Brown described a Water Feature she would like to have installed at Ski Bowl Park. She has an offer of help both from a person experienced in the installation of Water Features and a person committed to future maintenance. The Beautification Committee has the funds without requiring any additional from the Town. The Board agreed that the Town insurance carrier will be contacted regarding safety issues.

RESOLUTION #117-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to approve the building of a Water Feature at Ski Bowl Park Garden. Ski Bowl Garden will fund this. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski,

Arnheiter) Nays- 0

- **Waynestock camping and extended park curfew hours**

Waynestock is requesting extended park curfew hours and to allow camping to accommodate organizers, their families and security during Waynestock.

RESOLUTION #118-19

Peter Olesheski presented the following resolution and moved its passage with a second from Gene Arsenault, to extend park hours and to allow camping for organizers, their families, and security only during Waynestock. Five members voted in favor, and the resolution is declared carried. Ayes- (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Rivers, Trails grant**

Kelly Nettle would like to write a new grant, available through the National Park Service, called Rivers, Trails, Conservation Assistance. It involves technical assistance with planning for parks and moving ahead on the trail system extending out of Ski Bowl Park.

RESOLUTION #119-19

Ms. Arnheiter presented the following resolution and moved its passage with a second from Mr. Olesheski to support Kelly Nettle writing a Rivers, Trails, Conservation Assistance grant. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Butler property**

The property where the booster station is located is being offered for sale to the Town by the property owner at the same price it was offered in 2014 (\$1500). The purchase will entail about \$1300 for survey, \$1600 for legal fees and \$500 miscellaneous fees.

RESOLUTION #120-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to purchase the Butler land parcel containing the Town booster station. The land, survey, legal and miscellaneous fees are not to exceed \$5000 total. Ms. Hogan has Board approval to execute all business associated with this purchase. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- Library annual report

Ms. Hogan spoke about the Library annual report, noting that there were fewer programs than in the prior year, but that program attendance had nearly doubled. She applauded Susan Schmidt's efforts at zeroing in on certain interests and involving more of the community in library functions.

- **New No-smoking laws for library**

RESOLUTION #121-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the following no-smoking policy.

In compliance with New York State Public Health Law, the Town of Johnsburg Library building and grounds are smoke and tobacco free. Tobacco use and smoking in all forms, including the use of electronic cigarettes and smoke-free oral tobacco products is not permitted inside or on the grounds within 100 feet of the entrances, exits of outdoor areas of the library.

This policy applies to all persons, including employees, customers and visitors to the property.

Patrons who fail to comply with this policy may be subject to the suspension of their library privileges and/or prohibited from visiting the library property.

With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Old Business:

- Highway/ Transfer Sta. discussion -committee report

As Chair of the committee studying the relocation of the Transfer Station and Highway Garage, Nancy Beaudin reported that the consensus was that the garage should be moved out of Ski Bowl Park. The committee was mixed on the relocation of the Transfer Station. The recommendation was, “Because of the nature of these two parcels and the impact on the citizens of the Town of Johnsbury, we urge a Town Hall type meeting be held sometime in the near future to inform the public.”

It was decided that an informational meeting will be held at Tannery Pond on July 10th at 7 pm and will be followed at 8 pm with a budget workshop.

- **Truck Box Bid**

Regarding the bid that went out for a new truck box and the addendum for repair of the current box the Board acted as follows:

RESOLUTION #122-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to reject the one bid received for a replacement truck box in the amount of \$41,662.00. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter)
Nays- 0

RESOLUTION #123-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Arsenault to accept the proposal from Viking Cives for repair of the truck box in the amount of \$4350.00. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Streetscape materials bid award**

The bid for Streetscape materials had gone out prior to the project being postponed. To avoid future price increases, the Board decided to award the bid and store the materials.

RESOLUTION #124-19

Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to award the Streetscape materials bid to Core & Main of Watervliet, NY for bid #WC 40-19 with the materials totaling \$31,901.10. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- Mill Creek Committee - Grant details - **Local Waterfront Revitalization Program**

This is the last year the value of the Mill Creek land can be used as a grant match. The Mill Creek Committee is requesting submission of a grant request to the Local Waterfront Revitalization Program.

RESOLUTION #125-19

Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to have Ms. Hogan write to Warren County asking them to submit a grant request for the Local Waterfront Revitalization Program. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- Grant details – Local Waterfront Revitalization Program

The first step in forward motion with the sewer district is committing funds to engineering for the Local Waterfront Revitalization Program Grant through the County. The expected cost of the engineering is about \$400,000, with the Town expected to match 25%, or \$100,000.

There was a discussion about the source of the funding, particularly concern over delaying a town-wide assessment reval if money was taken from that which has been put aside. It was decided that the Board could commit to the \$100,000 figure without stating specifically which fund it will come from, and this will be addressed in the 2020 budget process.

RESOLUTION #126-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Ms. Arnheiter to commit \$100,000 from the 2020 budget for the purpose of getting a grant application in for sewer engineering. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Map and Plan report / sewer update**

The next step forward toward the sewer district is getting the Map and Plan Report finalized. The estimates for metes and bounds is \$1800 and the engineering Map and Plan Report is \$3460. There are funds designated for Mill Creek surveying which could be used for this, since the grant applied for – for Mill Creek – covers surveying.

RESOLUTION #127-19

Mr. Olesheski presented the following resolution and moved its passage with a second from Ms. Arnheiter to commit a total of \$5260.00 from the 2019 budget (general fund) for completion of the sewer Map and Plan report. \$1800.00 to Darrah Surveying and \$3460.00 to Cedarwood Engineering. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

- **Appointment to the Zoning Board**

A letter was received from Kevin M. Bean expressing interest in being appointed to the Zoning Board. The Town Board deferred the appointment, wanting to have the opportunity to meet and talk with him first.

- **Occupancy tax committee report of last meeting.**

Mr. Olesheski talked about a meeting of the Occupancy Tax Committee in which they discussed fine tuning the process. They discussed one/two cycles per year, the disconnect between the application and the scoring sheet, and having mandatory sections on the application. He said they would meet again and have recommendations for changes to present to the Board at the July meeting.

Committee reports:

- Planning and Zoning

Danae Tucker, ZEO, stated that there are a number of changes that should be addressed with the Town's Zoning laws. Solar is very popular and is not really addressed, for instance, and the Town's overall Zoning code is 10 years old. There is a Zoning meeting scheduled for July 1st and both Ann Deppe and Tom Volcheck from the Planning Board have said they will attend. Ms. Hogan asked Ms. Arnheiter and Mr. Olesheski (Planning and Zoning Committee) to attend. It was suggested that the above mentioned each come up with a list of people to approach to begin forming a citizens committee for updating the Zoning laws.

Animal Control and ZEO monthly reports

The Animal Control and ZEO monthly reports are in the Board packets.

Supervisor's monthly report

The Supervisor's monthly report is in the Board packets.

RESOLUTION #128-19

Mr. Arsenault presented the following resolution and moved its passage with a second from Mr. Olesheski to approve the Supervisor's monthly report. With 5 members voting in favor, the resolution is declared carried. Ayes - 5 (Hogan, Arsenault, Stevens, Arnheiter, Olesheski) Nays – 0

Approval of Warrants

General Fund (Total \$40,072.68)

Highway Fund (Total \$7,929.49)

Water District (Total \$2,491.65)

Public Library Fund (Total \$1,706.98)

Trust and Agency Fund (\$86.57)**Total all warrants \$52,287.37*****RESOLUTION #129-19***

Mr. Stevens presented the following resolution and moved its passage with a second from Ms. Arnheiter to approve the warrants. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Privilege of the Floor

Joel Beaudin said he submitted a letter to the Board, and it was not in the correspondence. Ms. Hogan had the letter sent to Mr. Olesheski for the Occ Tax Committee. Mr. Olesheski sent the letter back to Town Hall and that the money referred to in the letter has been rolled back in and reallocated.

Kelly Nettle, referring to the Occ Tax discussion, said that if the Committee goes back to only one cycle per year, they should let people know as soon as possible.

Ms. Hogan said that as great as Occ Tax is, it is not a given, as the County may change its distribution.

Ms. Nettle mentioned work at the beach and explained that as part of Vision 2020, it is being terraced.

Judy Brown suggested that the baskets and barrels of flowers are a recurring expense, so should perhaps become a budget item.

Mr. Beaudin said that if Occ Tax goes to only one cycle per year, it should be prior to the end of the year, for those whose budgets run the calendar year.

Motion to enter executive session to discuss the medical, financial, credit or employment history of a particular person.

RESOLUTION #130-19

At 8:53 pm Mr. Stevens presented the following resolution and moved its passage with a second from Mr. Olesheski to enter executive session to discuss the medical, financial, credit or employment history of a particular person. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

RESOLUTION #131-19

At 9:52 Mr. Olesheski presented the following resolution and moved its passage with a second from Mr. Arsenault to leave executive session and reenter the regular meeting. No action was taken. With 5 members voting in favor, the resolution is declared carried. Ayes- 5 (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays- 0

Motion to adjourn

The motion to adjourn was made by Mr. Arsenault seconded by Ms. Arnheiter, at 9:53 p.m. With 5 in favor the motion is carried. (Hogan, Arsenault, Stevens, Olesheski, Arnheiter) Nays – 0

Next meeting Tuesday, July 16, 2019 at The Wevertown Community Center

Prepared by:

Kathleen C. Lorah, Town Clerk